



METROPOLITAN CRIME COMMISSION

St. Tammany Criminal Justice Accountability Project

Arrests and Felony Case Outcomes 2013-2014 (April 2017)

This is the first in a series of annual reports examining the performance of St. Tammany Parish law enforcement and prosecutors. The goals of this work are to provide the public with an understanding of how its criminal justice system operates and to promote improved administration of criminal justice.

The numbers of arrests and the outcomes of felony arrests are the main focus of this report. It gives a baseline of criminal justice system performance prior to leadership changes in the St. Tammany Parish Sheriff's Office and District Attorney's Office over the past few years.

Background

St. Tammany Parish has numerous police agencies, three of which provided arrest data that is included in this report. The largest policing agency that provided arrest data is the St. Tammany Parish Sheriff's Office (STPSO). The Slidell Police Department (PD) and Covington PD also provided information about arrests that is included in this report.

St. Tammany Parish felony cases are prosecuted by the District Attorney for the 22nd Judicial District (DA's Office). This report does not include any arrest or prosecution information from Washington Parish although the DA's Office also has prosecutorial authority in that jurisdiction. Information about the outcomes of felony cases was compiled from records provided by the DA's Office and the St. Tammany Clerk of Court. The MCC performed supplemental data entry through the Clerk of Court's online information system, and data was collected on outcomes of felony cases through June of 2016.

DA Walter Reed was the District Attorney in 2013 and 2014 and was replaced by Warren Montgomery in 2015. New Sheriff Randy Smith was elected in 2016 to replace Sheriff Jack Strain, who was

in office during the 2013-2014 study period covered in this report. Future analyses will examine changes in the criminal justice system performance under the new leadership of two of its most prominent agencies.

St. Tammany Parish has a relatively low crime rate when compared to national Uniform Crime Reporting (UCR) statistics collected by the Federal Bureau of Investigation. Violent crime rates per 100,000 residents in 2013 and 2014 were 60% below the national rate and more than 70% lower than the rate in Louisiana.¹ Property crime in St. Tammany Parish was approximately 40% below the national average and more than 50% below the state average.¹

For additional information on felony arrest outcomes and UCR statistics, see supplemental exhibits at www.metrocrime.org.

Trends in St. Tammany Arrests and Prosecutions

- Arrests and prosecutions were virtually identical in 2013 and 2014, indicating highly consistent law enforcement practices and stable crime rates.
- It took a median of approximately seven weeks from the time of arrest until a decision was reached on whether to prosecute a felony suspect.
- A 79% majority of 2013 and 2014 felony arrests resulted in convictions, including 63% with felony convictions and 16% with misdemeanor convictions. In comparison, 54% of felony arrests nationwide ended in felony convictions and 12% ended in misdemeanor convictions.²
- The St. Tammany felony arrest to felony conviction rates of 62% for property felonies and 74% for drug felonies exceeded rates found in courts nationwide.²

St. Tammany Parish Arrests

2013 and 2014 St. Tammany Parish arrests were very consistent (see **Exhibit 1**). There was an insignificant 1% increase from 10,505 arrests in 2013 to 10,644 in 2014.

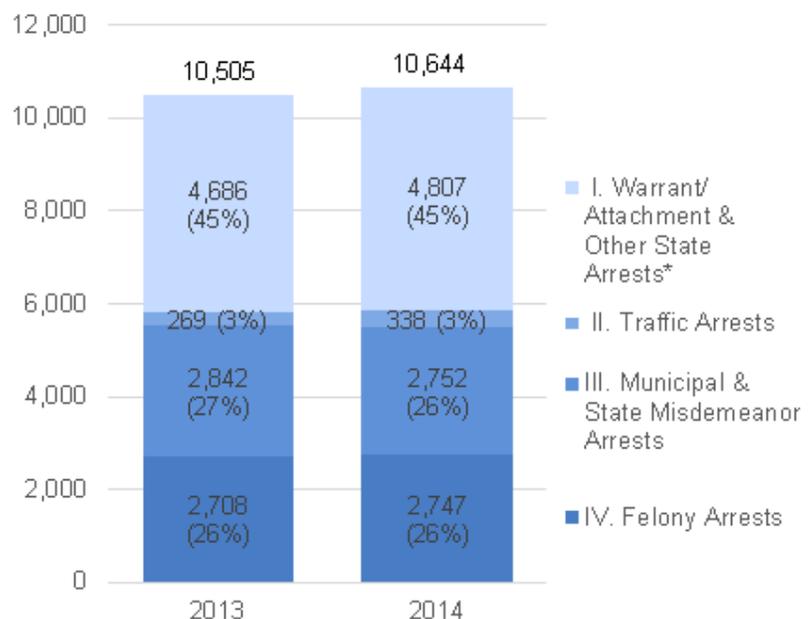
Warrant/attachment and other state arrests include out of parish offense warrants, contempt of court, immigration violations, probation or parole violations, and defendants surrendering for imposition of sentence after being convicted (see **Exhibit 1, I. Warrant/ Attachment & Other State Arrests**). These types of charges accounted for 45% of both 2013 and 2014 arrests. Subjects arrested for warrants and attachments had an 80% rate of either transfer to another jurisdiction or posting bond guaranteeing their return to court.

A small 3% of arrests were for traffic violations (see **Exhibit 1, II. Traffic Arrests**).

New municipal and misdemeanor violations accounted for 27% of 2013 arrests and 26% of 2014 arrests (see **Exhibit 1, III. Municipal & State Misdemeanor Arrests**).

New felony offenses accounted for 26% of arrests in both years (see **Exhibit 1, IV. Felony Arrests**).

Exhibit 1: St. Tammany Total Arrests 2013-2014



*Includes probation/parole violations, being taken into custody upon sentencing to incarceration, contempt of court, immigration, out of parish fugitives, etc.

Source: St. Tammany Parish Sheriff's Office, Slidell PD, Covington PD

Felony Arrests

MCC analysis focuses on felony offenses because they pose the greatest risk to public safety and quality of life of all citizens. Felonies represent the most significant crimes handled by the St. Tammany criminal justice system and include murder, rape, robbery, weapons offenses, burglary, theft, and narcotics possession and distribution. Only felony offenses can generate lengthy prison sentences upon conviction. Habitual offender laws provide that felony convictions can be a basis for longer incarceration sentencing if an offender has a history of prior felony convictions.

There were similar numbers and types of felony arrests in St. Tammany Parish in 2013 and 2014 (see **Exhibit 2**). The total number of felony arrests had a nominal 1% increase from 2,708 in 2013 to 2,747 in 2014.

Drug charges accounted for the largest segment of felony arrests, making up 33% of 2013 felony arrests and 35% of 2014 felony arrests. St. Tammany Parish felony drug arrests comprised 25% drug distribution charges and 75% drug possession charges. National arrest statistics in 2014 found that 17% of narcotics arrests were for sale or manufacturing and 83% were for possession.³

Property crimes made up 32% of felony arrests in both 2013 and 2014 and were the second most common type of felony. Across both 2013 and 2014, 63% of property felony arrests were for felony theft charges.

Weapons felonies were least common and consistently made up 4% of felony arrests.

Violent felony arrests accounted for 17% of 2013 arrests and 16% of 2014 arrests. Felony battery charges accounted for 55% of the combined total of 887 violent felony arrests in 2013 and 2014.

“Other” felony arrests include numerous serious offenses such as third offense or greater driving while intoxicated, failure to register as a sex offender, obscenity, escape, and vehicular homicide. These types of offenses accounted for 14% of 2013 arrests and 13% of 2014 arrests.

Felony Arresting Agencies

The STPSO is the largest policing agency in the parish and accounted for a 62% majority of felony arrests in 2013 and 2014 (see **Exhibit 3**). The Slidell PD is the second largest police agency and made 20% of felony arrests.

The Covington PD, Louisiana State Police, and Mandeville PD each accounted for 4% to 5% of all felony arrests.

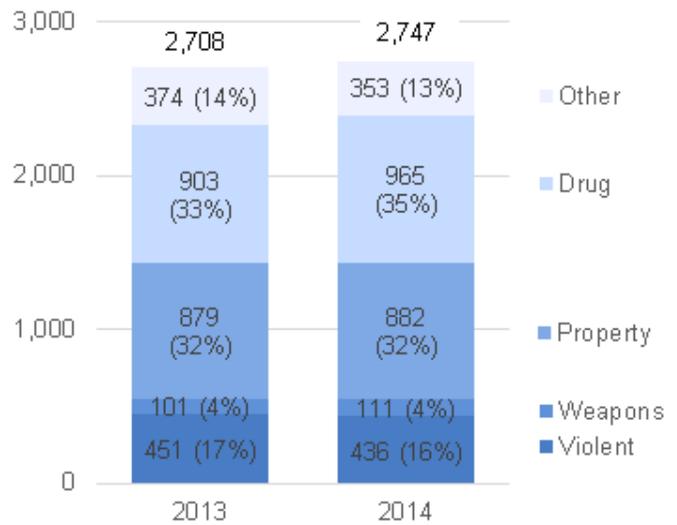
Several other police agencies accounted for smaller percentages of arrests. These agencies include the Causeway PD, Madisonville PD, Probation and Parole, Attorney General’s Office, and Folsom PD.

(Note: For additional information on a department-by-department basis, see supplemental exhibits at www.metrocrime.org)

Charge Decision Times

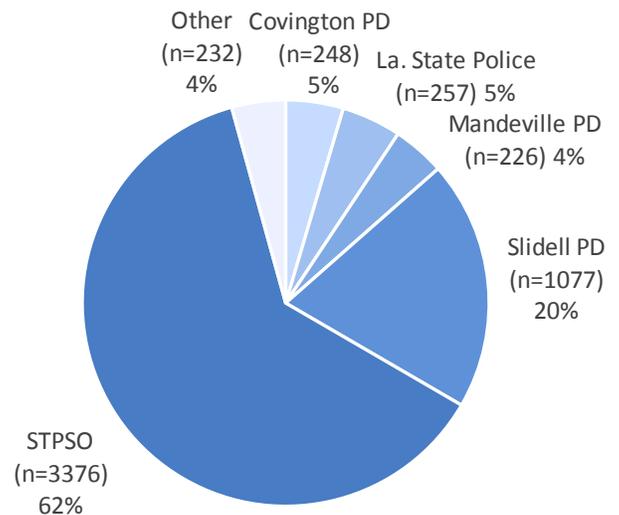
Once police make a felony arrest, they compile evidence against a suspect and submit an investigative report to the DA’s Office. The DA’s Office reviews reports submitted by the arresting agency to determine if there is sufficient evidence to prove guilt and obtain a conviction. The DA’s Office may accept a case, refuse to prosecute a case, or refer a case back to the police asking to supplement the initial investigation to make it stronger. In some cases, suspects may enter the DA’s Diversion Program and have their cases refused or dismissed upon successful completion of the program.

Exhibit 2: St. Tammany Felony Arrests 2013-2014



NOTE: “Other” felony arrests include charges such as felony driving while intoxicated, failure to register as a sex offender, and indecent behavior with a juvenile
 Source: St. Tammany Parish Sheriff’s Office, Covington PD, Slidell PD, 22nd JDC DA’s Office, St. Tammany Clerk of Court

Exhibit 3: St. Tammany Felony Arresting Agencies – 2013 and 2014 Combined (N=5,416)



NOTE: “Other” police agencies includes the Causeway PD, Madisonville PD, Probation and Parole and other entities responsible for small percentages of felony arrests
 Source: St. Tammany Parish Sheriff’s Office, Covington PD, Slidell PD, 22nd JDC DA’s Office, St. Tammany Clerk of Court

Exhibit 4 shows the median amount of time that it took for the DA's Office to make a charging decision. The median is the middle point with half of charging decisions taking less time and half taking more time than the median. The table shows information on how long it took for police to present a case to the DA's Office and how long it took for the DA's Office to reach a decision thereafter. Total arrest to billing decision times are the entire time that it took from the point of arrest to when the DA's Office reached a decision on whether or not to prosecute a suspect.

Arresting agencies took a median of 29 days to bring a case to the DA's Office in 2013, which improved slightly to 27 days in 2014.

The DA's Office consistently took just under three weeks (19 days) to review information submitted by arresting agencies and make a decision in both 2013 and 2014.

Overall, the entire process to reach a charging decision took a median of 52 days in 2013 and 48 days in 2014. The decrease in billing decision time came from changes in how long it took for police to bring cases to the DA's Office rather than changes in time the DA's Office took to decide whether to prosecute a suspect.

Felony Arrest Outcomes

Exhibit 5 shows the outcomes of felony arrests and cases from 2013 and 2014. There are slightly more felony cases than arrests (presented in Exhibit 2), because prosecutors later upgraded some misdemeanor arrests to felonies.

Felony arrest outcomes were almost identical in 2013 and 2014. Most cases had concluded when the MCC finished data collection in June of 2016. A small 5% of 2013 cases remained open and 7% of 2014 cases remained open. Some cases remained open because defendants did not appear for court or were found mentally incompetent.

A total of 14% to 15% of those arrested for felonies were not prosecuted, which includes 4% of cases that were refused, 8% of cases accepted and later dismissed, and 2% to 3% of defendants that participated in the DA's Diversion program. Less than 1% of defendants were found not guilty in a judge or jury trial. Nationwide statistics found a 26% rate of felony defendants not being prosecuted, which is higher than the 14% to 15% rate of St. Tammany felony cases not resulting in prosecution.²

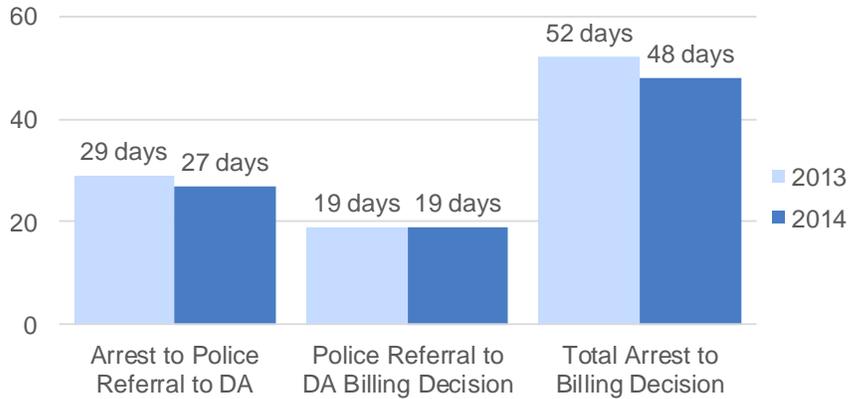
The same nationwide study documented that 66% of felony defendants nationwide were ultimately convicted, including 54% convicted of a felony and 12% convicted of a misdemeanor.² In comparison, 79% of St. Tammany felony defendants were convicted, which includes 63% convicted of felonies and 16% convicted of misdemeanors.

Felony Conviction Rates by Type of Offense

The felony arrest to conviction rates differed by the type of offense (see **Exhibit 6**). The highest felony arrest to felony conviction rate was for drug felonies, which saw 75% of those arrested ultimately convicted of a felony offense. This rate greatly exceeded the nationwide 56% rate for felony drug arrests to result in felony convictions.²

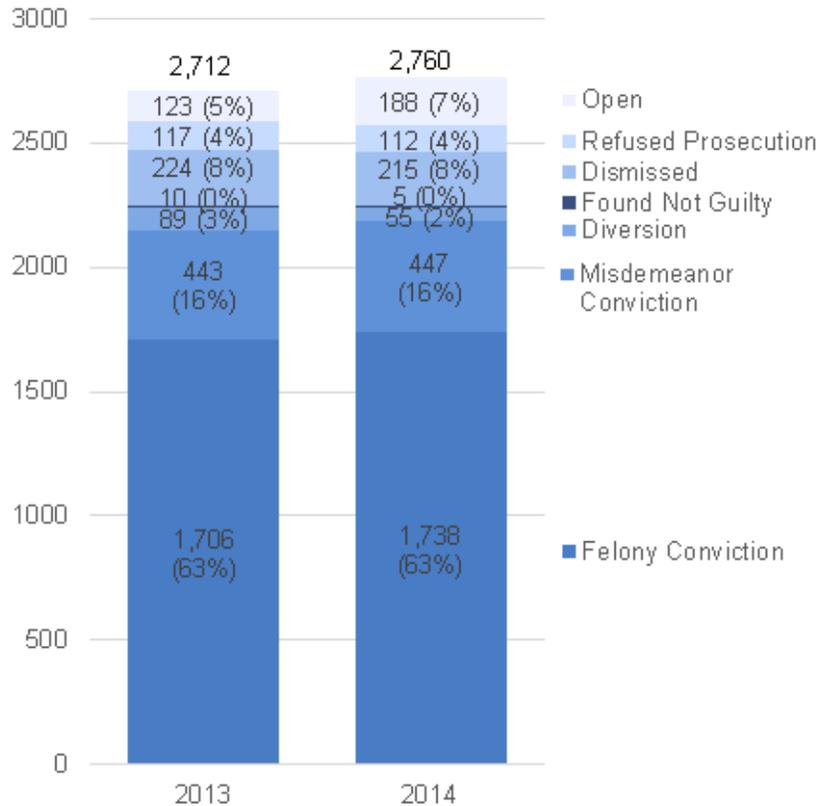
Felony weapons arrests also had a high conviction rate with 69% resulting in felony convictions. In comparison, 57% of nationwide weapons felony arrests concluded in felony convictions.²

Exhibit 4: St. Tammany Median Billing Decision Times 2013-2014



Source: St. Tammany Parish Sheriff's Office, Covington PD, Slidell PD, 22nd JDC DA's Office, St. Tammany Clerk of Court

Exhibit 5: St. Tammany Felony Arrest Outcomes



Source: St. Tammany Parish Sheriff's Office, Covington PD, Slidell PD, 22nd JDC DA's Office, St. Tammany Clerk of Court

The felony conviction rate for property felony arrests was 62%, which is slightly higher than the national average of 55%.²

The 48% felony conviction rate for St. Tammany violent felony arrests is the lowest conviction rate for any category of offense and was in line with the nationwide 49% violent felony arrest to felony conviction rate.²

The felony arrest to conviction rate for other felonies is the only area in which St. Tammany parish was lower than what was seen nationwide. Nationally, 59% of "other" felony arrests resulted in felony convictions compared to 52% of St. Tammany "other" felony arrests that ended in felony convictions.²

Conclusions and Recommendations

The St. Tammany criminal justice system in 2013 and 2014 had a high felony arrest to felony conviction rate when compared to national statistics. Felonies accounted for a large 26% segment of all arrests, which indicates a strong police focus on the most serious crimes in the community. The low rate of traffic arrests is another indication that police agencies in St. Tammany Parish were using discretion in their use of arrest to enforce less serious violations. The MCC commends St. Tammany police agencies for their emphasis on applying sound arrest strategies and priorities to target felony offenders.

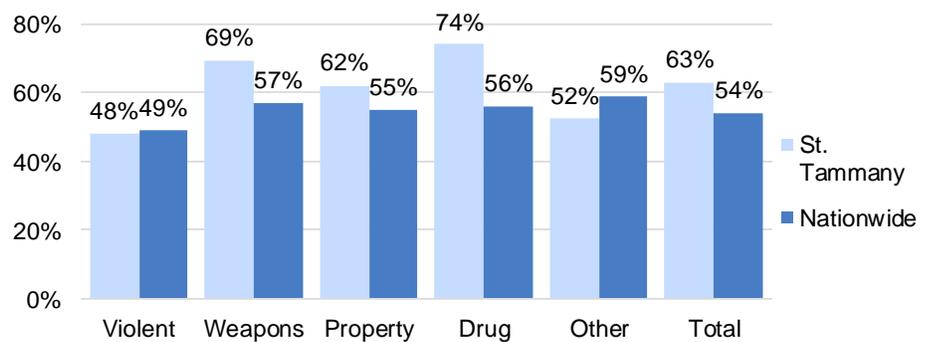
The felony arrest to felony conviction rate of 63% is significantly higher than the national average felony conviction rate of 54%.² An additional 16% of felony arrests generated misdemeanor convictions for a total of 79% of felony arrests resulting in some form of conviction. This high conviction rate indicates that police and prosecutors were greatly committed to applying limited resources to felony offenders.

Recommendation 1: The MCC respectfully encourages arresting agencies and the DA's Office to reduce the time it takes to reach a screening decision. Police took a median of 27 to 29 days to submit reports to prosecutors and thereafter the DA's Office took a median of 19 days to screen cases and reach charging decisions. Unnecessary delays in case screening increase the time that suspects are held in custody, which increases costs to taxpayers to house people in jail and requires the STPSO to maintain a larger felony pretrial inmate population.

Improved coordination and collaboration between police and prosecutors can substantially reduce the time it takes to screen felony cases. Although forensics and lab analyses may contribute to delays in felony case screenings, the criminal justice system should aspire to reduce the time that it takes from the point of arrest to reach a screening decision.

Recommendation 2: The MCC respectfully recommends that the criminal justice system and parish government ensure

Exhibit 6: St. Tammany Felony Arrest to Felony Conviction Rates by Arrest Charge Category (2013-2014 Combined) Compared to Nationwide Statistics



Source: St. Tammany Parish Sheriff's Office, Covington PD, Slidell PD, 22nd JDC DA's Office, St. Tammany Clerk of Court, "Felony Defendants in Large Urban Counties, 2009 – Statistical Tables," Department of Justice, December 20, 2013

that ability to pay does not limit access to the DA's Diversion Program. The Diversion Program in 2013-2014 required that suspects pay for training, counseling, and drug testing by private providers. The requirement that suspects pay for their own services in order to participate in diversion may prevent those most needing the benefit of the program from having access to it. Suspects without the financial resources to pay for needed treatment and services are further limited from improving their circumstances when they become convicted felons, which reduces employment opportunities and contributes to recidivism.

St. Tammany has felony conviction rates that greatly exceed the national averages for nonviolent drug possession and some property crimes. Many of these defendants may be eligible for diversion as first time, low-level offenders that are ideal candidates for lifestyle altering services rather than employment-limiting felony convictions. The St. Tammany criminal justice system cannot fund treatment and training on its own and must work with governmental and civic leaders to broaden opportunities for eligible offenders to receive services that will prevent future criminal activity.

The St. Tammany criminal justice system has embraced a number of enlightened, cutting edge initiatives such as drug courts, reentry courts, behavioral health courts, and the Covington PD's Operation Angel program that offers rehabilitation to drug users seeking help in lieu of arrest. Additionally, St. Tammany Parish leaders worked to expand the delivery of mental health services through the Safe Haven project, which will lower crime and improve public safety for all citizens. The MCC maintains that it is not prudent to restrict eligibility to proven crime-reducing initiatives such as diversion based strictly upon ability to pay. Diverting low-level offenders from prosecution can reduce judicial caseloads and better focus limited resources on the most serious offenders. Reducing the conviction rate of first time, nonviolent offenders through a more robust Diversion Program should yield long-term savings to taxpayers, improved recidivism rates, and lower incidences of crime in St. Tammany Parish.

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¹Source: FBI, Uniform Crime Reports as prepared by the National Archive of Criminal Justice Data, ucr.fbi.gov
²Source "Felony Defendants in Large Urban Counties, 2009 – Statistical Tables," Department of Justice, December 20, 2013
³Source: FBI, 2014 Crime in the United States, ucr.fbi.gov